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CLERK, U.S. DISTRICT COURT  
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 CENTRAL DISTRICT OF CALIFORNIA  
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8 UNITED STATES DISTRICT COURT

CLERK, U.S. DISTRICT COURT  
 FILED  
 MAR 30 2001  
 CENTRAL DISTRICT OF CALIFORNIA  
 DEPUTY

## 9 CENTRAL DISTRICT OF CALIFORNIA

10  
 11 TRIMARK PICTURES, INC. a ) CASE NO. CV00-08443 ABC (CWx)  
 12 California Corporation, )  
 Plaintiff, ) HONORABLE CARLA M. WOHLFELD  
 13 ) [PROPOSED] ORDER  
 v. )  
 14 )  
 WESTERN INTERNATIONAL )  
 15 COMPANY, a Business Entity )  
 of unknown form; KENNETH )  
 16 HARTFORD, an Individual; )  
 KENNETH HARTFORD dba )  
 17 WESTERN INTERNATIONAL )  
 COMPANY, and DOES 1 through )  
 18 100, Inclusive, )  
 Defendants. )  
 19 )  
 20 )

21 GOOD CAUSE HAVING BEEN SHOWN:

22 IT IS HEREBY ORDERED that the request sought in plaintiff  
 23 TRIMARK PICTURES INC.'S Notice of Motion for Entry of Default  
 24 Judgment is granted and that judgment is entered against  
 25 defendants WESTERN INTERNATIONAL COMPANY, a business entity of  
 26 unknown form, KENNETH HARTFORD, an Individual, KENNETH HARTFORD

27  Docketed  
 28  Copies / NTC Sent  
 JS - 5 / JS - 6  
 JS - 2 / JS - 3  
 CLSD

[PROPOSED ORDER]  
 APR 03 2001

1 dba WESTERN INTERNATIONAL COMPANY, as follows:

2 As to the First Cause of Action for Copyright Infringement  
3 against all Defendants:

- 4 1. For an order requiring defendants to show cause, if  
5 they have any, why they should not be enjoined, as set  
6 forth below, during the pendency of this action;
- 7 2. For a temporary restraining order, preliminary  
8 injunction and a permanent injunction, all enjoining  
9 defendants, and each of them, and their agents,  
10 servants and employees, and all persons acting under,  
11 in concert with, or for them from:
  - 12 a. Infringing upon plaintiff TRIMARK's copyrights in  
13 any manner; and
  - 14 b. Attempting to sell or distribute [the television  
15 motion picture known as "Mazes and Monsters,"  
16 starring Tom Hanks, Chris Makepeace, and Wendy  
17 Crewson (hereinafter referred to as the  
18 "Picture").
- 19 3. For an order, during the pendency of this action, that  
20 defendants:
  - 21 a. Provide a full accounting of all monies earned  
22 from the sale/distribution of the Picture; and
  - 23 b. Retain any fees paid to them by any customer of  
24 the infringing picture and place any such fees in  
25 an interest bearing escrow account pending final  
26 determination of this action at trial or further  
27 order of this Court.

- 1       4. For all of defendants' profits derived from their
- 2              infringement of plaintiff's copyright, or statutory
- 3              damages, depending on which plaintiff elects before
- 4              trial;
- 5        5. For three times the amount of plaintiff's actual
- 6              damages, caused by defendants' infringement of
- 7              plaintiff's copyright;
- 8        6. For plaintiff's reasonable attorney's fees and expended
- 9              in this action.

10          As to the Second Cause of Action for Declaratory Relief  
11 against KENNETH HARTFORD, WESTERN INTERNATIONAL and Does 1  
12 through 100:

- 13       1. For general damages in an amount within the  
14 jurisdiction of the Superior Court to be determined  
15 according to proof;
- 16       2. Interest as allowed by law;
- 17       3. For declaration that plaintiff TRIMARK is the sole  
18 holder to the copyrighted interest in the movie "Mazes  
19 and Monsters";
- 20       4. For reasonable attorney's fees and expenses according  
21 to proof;
- 22       5. For costs of suit incurred herein; and
- 23       6. For such other and further relief as the court may deem  
24 just and proper.

25          As to the Third Cause of Action For Intentional Interference  
26 with Business/Economic/Contractual Relationship against KENNETH  
27 HARTFORD, WESTERN INTERNATIONAL and Does 1 through 100:  
28

- 1       1. For general damages in an amount within the  
2                  jurisdiction of the Superior Court to be determined  
3                  according to proof;
- 4       2. For punitive and exemplary damages to be determined by  
5                  the court according to proof;
- 6       3. For interest as allowed by law;
- 7       4. For reasonable attorney's fees and expenses according  
8                  to proof;
- 9       5. For costs of suit incurred herein; and
- 10      6. For such other and further relief as the court may deem  
11                  just and proper.

12                  As to the Fourth Cause of Action for Negligent Interference  
13                  with Business/Economic/Contractual Relationship against KENNETH  
14                  HARTFORD, WESTERN INTERNATIONAL and Does 1 through 100:

- 15       1. For general damages in an amount within the  
16                  jurisdiction of the Superior Court to be determined  
17                  according to proof;
- 18       2. For punitive and exemplary damages to be determined by  
19                  the court according to proof;
- 20       3. For interest as allowed by law;
- 21       4. For reasonable attorney's fees and expenses according  
22                  to proof;
- 23       5. For costs of suit incurred herein; and
- 24       6. For such other and further relief as the court may deem  
25                  just and proper.

26                  As to the Fifth Cause of Action for Injunction against all  
27                  defendants:

- 1       1. For an order requiring defendants to show cause, if
- 2               any, they have why each of them should not be enjoined
- 3               as set forth below, during the pendency of this action.
- 4       2. For a Temporary Restraining Order, a Preliminary
- 5               Injunction and a Permanent Injunction, all enjoining
- 6               defendants from advertising, distributing, marketing,
- 7               selling, or offering for sale or distribution, or
- 8               showing the Picture known as "Mazes and Monsters,"
- 9               starring Tom Hanks, Chris Makepeace, and Wendy Crewson;
- 10      3. For costs incurred; and
- 11      4. For all other and further relief as the Court may deem
- 12               just and proper.
- 13      5. The amount of judgment is the sum of \$10,627.39 as
- 14       attorney's fees in this matter.

15      Dated: March 30, 2001

16  
17               Audrey B Collier  
18               JUDGE OF THE FEDERAL COURT

(C.C.P. Sections 1013(a) and 2015.5)

2 State of California )  
3 County of Los Angeles ) ss.

4 I am employed in the County of Los Angeles, State of  
5 California. I am over the age of 18 and not a party to the within  
action; my business address is 30401 W. Agoura Road, Suite 102,  
Agoura Hills, California 91301-2084.

On March 28, 2001, I served the foregoing document described  
as [PROPOSED] ORDER on the interested parties in this action by  
placing the  original  a true copy thereof enclosed in sealed  
envelopes as stated on the attached Service List.

- 9     **BY MAIL** As follows: I am "readily familiar" with the firm's  
10 practice of collection and processing correspondence for  
mailing. Under that practice it would be deposited with the  
11 U.S. postal service on that same day with postage thereon  
fully prepaid at Agoura Hills, California, in the ordinary  
12 course of business. I am aware that on motion of the party  
served, service is presumed invalid if the postal collection  
date or postage meter date is more than one day after the date  
13 of deposit for mailing in this affidavit.

14     **(BY HAND DELIVERY)** I caused such envelope to be delivered by  
hand to the offices of the addressee.  
15     **(BY FACSIMILE)** I caused the foregoing document to be  
transmitted via facsimile transmission telephonically to  
the offices of the addressee at the facsimile number  
16 listed on the attached Service List. I also caused said  
document to be enclosed in a sealed envelope and sent to  
the addressee by mail, as stated above.  
17     **(BY FEDERAL EXPRESS)** I caused such envelope to be delivered  
by the Federal Express delivery service to the offices of  
the addressee.  
18  
19

Executed on March 28, 2001 at Agoura Hills, California.

- 21  **(State)** I declare under penalty of perjury under the laws  
of the State of California that the foregoing is  
true and correct.

22

23  **(Federal)** I declare that I am employed in the office of a  
member of the bar of this Court at whose direction  
the service was made. /s/

24

Barbara L. Park

1 **TRIMARK v. WESTERN INTERNATIONAL**

2 **UNITED STATES DISTRICT COURT**

3 **CASE NO: 99-09100 RAP**

4 **SERVICE LIST**

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5 **ATTORNEY(s)** **PARTY(ies)**

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6 Kenneth Hartford  
7 President  
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9 Kenneth Hartford  
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15856 Valerio Street  
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